

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
FILED
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U.S. DISTRICT COURT E.D.N.Y.

4/14/22

★ APR 15 2022 ★

BROOKLYN OFFICE

Case # 21-cv-1307

Nigel Fredricks
Plaintiff

✓

N.Y.P.D. Anwar Hussain
Detective Michael Ardolino
Detective Derrick Reuss
Detective Mark Scarlatelli

INDIVIDUALLY AND IN
THEIR OFFICIAL CAPACITIES

Just trial counsel
yes

PLAINTIFF'S THIRD AMENDED COMPLAINT

Plaint Nigel Fredricks litigation pro se for his
third amended complaint against defendant(s)
Detective Michael Ardolino, Detective Derrick
Reuss and Detective Mark Scarlatelli and
N.Y.P.D. officer Anwar Hussain

JURISDICTION AND VENUE

1. This court has jurisdiction over this action
under 28 U.S.C. Sections 1331 and 1343 (3) and
(4) the matters in controversy arise under 42
U.S.C. Section 1983

2. venue properly lies in this district pursuant to 28 U.S.C. section 1391(b)(2) because the events giving rise to this cause of action occurred at the jurisdiction of 75 percent of Brooklyn East New York (75 percent) in city state which is located within the Eastern District of New York City

PARTIES

3. Plaintiff Nigel Fredicks is at all time relevant hereto a inmate in the custody of up state N.Y. Elmira correctional facility

4. Defendant #2 Andrew Hussain N.Y.P.D. officer who at all times relevant hereto assigned to the 75 percent

5. Defendant #2 Michael Ardolino detective who at all times relevant hereto was rank as a detective officer assigned to the 75 percent or currently still is

6. Defendant #3 Derrick Russ detective who at all times relevant hereto was rank as a detective to the 75 percent or still is

7 Defendant #4 Mark Scordetelli detective who at all times relevant hereto was rank as a detective officer assigned to the 75 precinct or currently still is

PRECEDENT LAISSEZ BY PLAINTIFFS

8. Plaintiff Nigel Fredricks has filed no other lawsuit dealing with the same facts involved in this action or otherwise relating to his wrongfully incarcerated imprisonment

EXHAUSTION OF ADMINISTRATIVE REMEDIES

9. No further EXHAUSTION Required

FACTS

10. On August 1, 2019 plaintiff Nigel Fredricks was wrongfully accused of committing a crime of a robbery in the first and second degree 160.15 and 160.10 on two separate different occasions but both cases was later been dismissed by two different occasion a warrant was put out a file before 8-1-19 when still reporting to parole

11. prior to being falsely arrested on 8-1-19 at 963 Scatter AV Sodaga at Approx some time in the forenoon or other words afternoon. The plaintiff was alleged of forcefully capturing the unknown said victim and demanding an unknown amount of money with a deadly weapon such as a pocket knife.

12. And once the victim refuse in guessing that's when i push him to the floor and took it!

13 plaintiff Nigel Fredrick was supposedly arrested right then and there the day of the alleged incident on 8-1-19 by three white detective whom enter that location of 963 and escorted me to the 75 precinct.

14 it was two blades walking distance to be exact and those detectives names are Michael Ardolino, Derek Reuss and Mark Scarlatelli, and one of those three on detective informed to Frank's a correction officer of the name Debra for my false arrests. That case pending in the Southern District case # 21-cv-6751

15. prior to that occasion of being detained inside the 75 present the day of the cliche incident that occur on August 1, 2019, I was then brought to a holding pen by my arresting officers awaiting for processing and transferred to Central Bookings.

16. When I finally arrived to the holding pen on 8-1-19 there was another detainee inside the pen I had to share and the moral of this topic is one thing led to another and we started fighting and injuries sustain on his behalf and he was sent outside medical trip by the ambulance.

17. on or about August 3, 2019 plaintiff Nigel Fredrickson started to feel like harming himself was then sent on a medical trip being escorted by ambulance to be hospitalized inside Brookside hospital admitted to meet my standard of treatment by a professional psychiatric doctors.

18. On or about August 8, 2019 upon my arrival back to the 75 percent of being discharged out the hospital of Brookdale I was escorted back to the 75 percent by two N.Y.P.D. officers inside a patrol car to being processed

19. Plaintiff Nigel Fredricks was the finger printed and sent to central Bookings. Finally that's when I meet with my defense attorney Mrs. Martha Linebarger and she explain to me the charges brought against me the two robbers and parole violation.

20. Prior to that occasion, I was brought in front of the Criminal Court Judge inside central Bookings and to be honest it was a female kind of stroke meant what she said and said what she meant

21. On or about 8-5-19 that's when the D.A. brought up all the charges against me and my past history, and basically the Judge brought the whole story and I was remanded with a bail bond on my way to Rikers Island with a new court date.

22. Prior to that situation before existing the court i believe i had on past were with my defense attorney Mrs Martha Lineburg and what was said by me since everyone explain to me for the record what the unknown victim was complaining about i the automatically requested for Grand jury and was given my right to testify on my behalf of what actually happen on 8-1-27

23. On or about plaintiff Mykel Fredricks was brought back to Brooklyn Criminal or Supreme Court to meet my attorney to further discuss the outcome of my case

24. prior to discussing the outcome of grand jury i was all up for it with no doubt in mind because i was innocent and soon after grand jury all charges was deem dismissed but wasn't quite ready to be release because of my parole violation

25 before testifying ~~amazing~~ on my behalf i request for all elements to be presented such as the photo footage witness and the deadly weapon suppressor certified that was never presented with the all cell.

26. Plaintiff Nigel Frederick's agreed to parole. went court and meet with his attorney on ~~an~~ about sometime in September of 2019 Mr. Matthew Hinson and the moral of this story going back in forth fighting parole violation of 14 charges but only one speed out charge 7 rule #4

27. Prior to that occasion that charge was for the fight inside the 75 percent with no criminal charges pending, I was then offered my contest hearing and that's when Mr. Hossain came into the picture pretending to be my arresting officer. I was later place on the bed for a 730 evaluation mental health status

28. On May 20, 2020 I was then release and restore on parole instead of being reinstate right and eventually caught a new charge but wasn't the aggression against that officers

29. I've been incarcerated since 8-1-99 and after all these years you know what I truly notice none of this was my fault Etc.....

Claim #1

Substantive Due Process

30. Plaintiff Nigel Fredricks has been deprived by the government of the United States of America of his life liberty interest of freedom which is truly outrageous maliciously and sadistically for the very purpose of directing harmful action by all four defendants.

31. I've been incarcerated for almost three years now and on these grounds I been humiliated neglected mistreated of all my fundamental individual rights to the worst degree a human being can ever possible imagine of going threw

32. All four defendants foul play or act left me in my track to suffer on so many different occasions within the care custody or control of the government Department of correction til this deep pain's suffering mental anguish etc.

33. Plaintiff Nigel Fredricks has been abuse by the hands of the government and knowing that I was a innocent young black man when my case been dismissed was put in some many other predicaments! where

34 All four Defendants has shake the confidence to the public of cruel and unusual punishment as specifically known that to the unreported reports filed of no known victim in my case to follow proceeding left plaintiff to suffer by hands of the government high : dreadful way of life of thinking

35. The Plaintiff for this claim was not sustainable of probable cause as stated facts in the complaint of no will case made and rely upon in good faith reasonable to hold solid grounds of an arrest charge Tuffnigh to any circumstances of having knowledge trustworthily enough evidence to be convicted on.

36. Plaintiff Nigel Fredrick Seals retired of Houston Compensation against all four Police Officers in the amount of \$35,000 to be place back in one hole for all lost during my three years incarcerated with a post diagnosis of PTSD experience more stress physical and fighting for my life.

4-18-22 Nigel Fredrick Seals
Respectfully submitted
Nigel Fredrick Seals

A CORRECTIONAL FACILITY

OX 500
NEW YORK 14902-0500

V.g. Trechets

ELMIRA

CORRECTIONAL

DIN: *221005*

Elmira



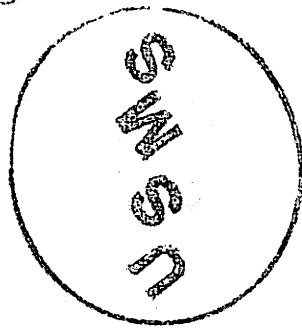
Correctional Facility

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225 Academy Place
Brooklyn N.Y. 11201*

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NEW YORK STATE
DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
OFFENDER CORRESPONDENCE PROGRAM

NAME: Walter McNeil DIN: 22-31005